THE STATE OF TEXAS §
COUNTY OF CAMERON §

BE IT REMEMBERED on the 6th day of MARCH 2006, there was conducted a Special Meeting of the Honorable Commissioners' Court of CAMERON COUNTY, Texas, at the Courthouse thereof, in the City of Brownsville, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same.

BE IT FURTHER RESOLVED, that the Cameron County Commissioners' Court wishes to dedicate its proceedings in memory of Judge Filemon Vela.

THE COURT MET AT:	PRESENT:
8:00 A.M.	GILBERTO HINOJOSA
	COUNTY JUDGE
	PEDRO "PETE" BENAVIDES
	COMMISSIONER PRECINCT NO. 1
	JOHN WOOD
	COMMISSIONER PRECINCT NO. 2
	DAVID A. GARZA
	COMMISSIONER, PRECINCT NO. 3
	EDNA TAMAYO
	COMMISSIONER, PRECINCT NO. 4
	JOE G. RIVERA
	COUNTY CLERK
	Mary Robles Deputy Clerk
	ABSENT:

The meeting was called to order by Commissioner Garza at 8:00A.M. He asked Reverend Bob Clark, Brownsville resident, for the invocation, and he then led the Court and audience in reciting the Pledge of Allegiance.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on this 2^{nd} day of March 2006 at 4:58 P.M.:

(1) PUBLIC COMMENTS

None were presented.

ACTION ITEMS

(2) BUDGET AMENDMENTS, LINE ITEM TRANSFERS AND/OR SALARY SCHEDULES.

Upon motion by Commissioner Tamayo, seconded by Commissioner Wood and carried unanimously, the Budget Amendments, Line Item Transfers AND/OR Salary Schedules were approved.

The Information is as Follows:

(3) APPROVAL OF MINUTES FOR: (TABLED)

- (A) JANUARY 3, 2006-REGULAR MEETING
- (B) JANUARY 10, 2006-REGULAR MEETING
- (C) JANUARY 17, 2006-REGULAR MEETING

At this time Commissioner Wood moved that this item be TABLED.

The motion was seconded by Commissioner Tamayo and carried unanimously.

(4) APPROVAL OF CLAIMS

Note: Commissioner Benavides joined the meeting at this time.

Commissioner Wood moved that the Claims be approved.

The motion was seconded by Commissioner Garza and carried as follows:

AYE: Commissioners Wood, Benavides

NAY: None

ABSTAIN: Commissioner Tamayo as to warrant No. 154730 payable to Red River

Service Corporation in the amount of \$197.52 and Commissioner Garza as to Warrant No.154691 payable to the Medicine Shoppe in the amount of

\$1,116.20

The Claims and Affidavits are as follow:

(5) CONSIDERATION AND ACTION REGARDING THE ACCEPTANCE OF FEDERAL EMERGENCY MANAGEMENT AGENCY DISASTER ASSISTANCE FOR TEXAS WILDFIRES TO REIMBURSE CITIES PURSUANT TO DECLARATION OF DISASTER. (THEMERGENCY MANAGEMENT)

At this time, Commissioners Garza and Wood commented that a tower from Rio Plex had fallen in McAllen, Texas. Mr Tom Hushen County Fire Marshall added that the towers in CAMERON COUNTY were built "sturdier" and added that the incident did not affect Cameron County.

Mr. Tom Hushen, COUNTY Fire Marshall-"What this is Commissioners is the-Board Services called me, to let us know that we are in state of disaster for the State of –or declaration of disaster for the State of Texas in regards to wildfires, so they've opened it up for Federal Funding to be released to the volunteers and city agencies, but we needed to be the host of it-where we needed to the paperwork for FEMA(Federal Emergency Management Agency) send in all that. Then what the cities do is the report on an on-line reporting of all of the Fires that they have had December 27th until now and the Federal Government will review it and determine if it was part of the wild fire disaster and they will give the COUNTY 75%, where the COUNTY then turns around and gives it to those cities that which were affected, the fire departments themselves."

Commissioner Garza-"Or our Fire Departments, or Ems or?"

Mr. Hushen-"Or EMS, well, actually no. It's strictly Fire Departments"

Commissioner Garza-"But the..."

Mr. Hushen-"the ESD?"

Commissioner Garza-"Yes. The ESD"

Mr. Hushen-"Yes the ESD will return....the ESD pays for the run. And then they get reimbursed. So we just have to keep them separate"

Commissioner Garza-"Oh, O.K.., so move"

Commissioner Wood-"Second"

Commissioner Benavides-"There is a motion by Commissioner Garza, seconded by Commissioner Wood, those in favor say "Aye"

Commissioners Wood, Garza, Tamayo and Garza-"Aye"

Commissioner Benavides-"Opposed?"

(6) CONSIDERATION AND AUTHORIZATION TO REQUEST BIDS FOR THE CAMERON COUNTY ANNEX BUILDING IN HARLINGEN, TEXAS. (PSDEPT. OF TRANSPORTATION)

Mr. Pete Sepulveda, Department of Transportation Director-"I passed out a lay-out this morning, there were real small modifications, and we're pretty much ready to go out for bids. We just need your authorization to do that"

Commissioner Tamayo-"So move"

Commissioner Garza-"Second"

Commissioner Benavides-"O.K. there is a motion to go out for bids by Commissioner Tamayo and Seconded by Commissioner Garza, those in favor say "Aye"

Commissioners Wood, Garza and Tamayo-"Aye"

Commissioner Benavides-"All Opposed?"

The Lay-out is as follows:

(7) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 6 FOR THE CAMERON PARK COLONIA STREET, DRAINAGE & UTILITY IMPROVEMENTS PROJECT, SECTION 1.

(PS-DEPT. OF TRANSPORTATION)

Mr. Pete Sepulveda, Department of Transportation Director-"This is a change order, a decrease of \$2,800 dollars, a change in the type of an inlets to incorporate into the system. This pretty much should be the last change order before we come back with a change order to reconcile all the quantities, we had scheduled a final inspection for this past Friday, but we canceled that, but we are going to be doing that pretty quick, but we are pretty much ready to close out this project."

Commissioner Garza-"So move"

Commissioner Tamayo-"Second"

Commissioner Benavides-"O.k,. There is a motion and a second. Motion by Commissioner Garza, seconded by Commissioner Tamayo; those in favor say "Aye"

Commissioner Wood, Garza, Tamayo-"Aye"

Commissioner Benavides-"All opposed?"

The Change Order is as follows:

Note: At this time Mr. Remi Garza, County Administrative Assistant, explained that Mr. Roger Ortiz had requested that his item placed on today's Agenda be considered for discussion and/or approval until after Executive Session due to Elections day being near and him being busy getting ready for Election Day March 7, 2006.

CONSENT ITEMS

ALL ITEMS UNDER THE CONSENT AGENDA ARE HEARD COLLECTIVELY UNLESS OPPOSITION IS PRESENTED, IN WHICH CASE THE CONTESTED ITEM WILL BE CONSIDERED, DISCUSSED, AND APPROPRIATE ACTION TAKEN SEPARATELY

Note: There was no discussion concerning the following consent and travel items

Commissioner Tamayo moved that the "Travel and Consent Items" be approved.

The motion was seconded by Commissioner Wood and carried unanimously.

- (8) CONSIDERATION AND APPROVAL OF \$300,000.00 SUPPLEMENTAL GRANT AWARD FROM THE TEXAS HISTORICAL COMMISSION FOR THE DANCY BUILDING RESTORATION. (FB-PD & M)
 The Documentation is as follows:
- (9) CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING THE DISTRICT ATTORNEY'S OFFICE TO APPLY TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR JUSTICE ASSISTANCE GRANT FUNDS TO ESTABLISH A CAMERON COUNTY SPECIAL OPERATIONS GROUP. (FB-PD & M) The Resolution is as follows:
- (10) CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING CARLTON REYES FOR HIS OUTSTANDING COMMUNITY INVOLVEMENT. (COMM. COURT)
- (11) CONSIDERATION AND ADOPTION OF A RESOLUTION RECOGNIZING CLARISSA GARCIA FOR HER LIFETIME OF ACHIEVEMENT. (COMM. COURT)
- (12) CONSIDERATION AND AUTHORIZATION TO OPEN THE FOLLOWING BIDS FOR: (MF-PURCHASING)
 - (A) DUMP TRUCKS (QTY. 4) WATER TRUCKS (QTY. 2) BID #060206
 - (B) ARMORED CAR SERVICES ANNUAL BID #1180
 - (C) LEASE OF CAMERON COUNTY REAL PROPERTY LOCATED AT VETERANS INTL. BRIDGE BID #060207
- (13) CONSIDERATION AND SELECTION OF RECOMMENDED EVALUATION COMMITTEE FOR RFP #060301 OVERHEAD LIGHTS: JOHN FRIZELL, LEE LOZANO, MIKE FORBES, JAVIER REYNA, SAUL OCHOA, ABELARDO GOMEZ, FRANK ROBLES, ROBERT LOPEZ, GUADALUPE GONZALEZ, MERCED BURNIAS AND CESAR DIAZ. (MF-PURCHASING)
- (14) CONSIDERATION AND AUTHORIZATION TO AWARD THE FOLLOWING BIDS FOR: (MF-PURCHASING)
 - (A) PICK-UP TRUCKS (QTY. 8 OR 12) & UTILITY TRUCK (QTY. 1) BID #060201 TO TIPTON FORD, KNAPP CHEV.

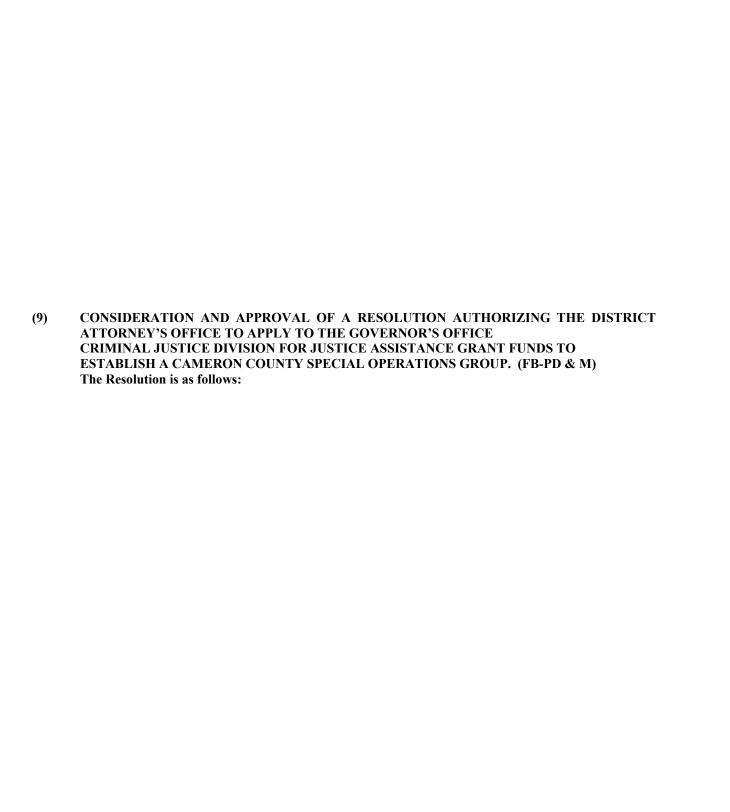
The Tabulation is as follows:

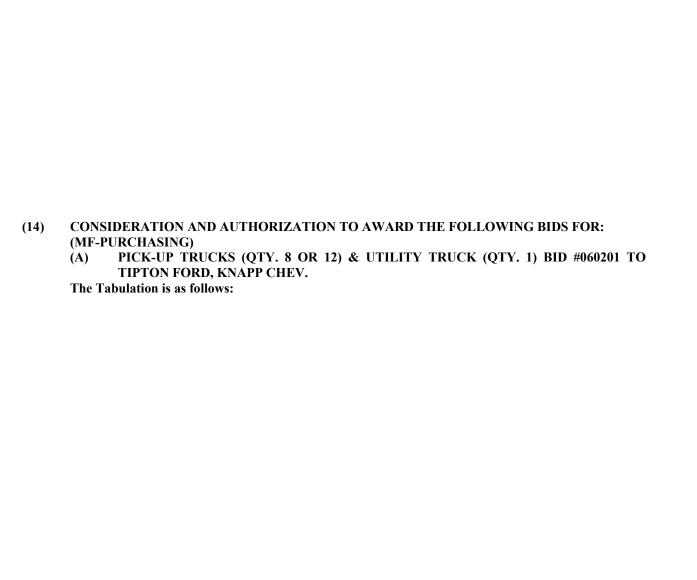
TRAVEL ITEMS

- (15) CONSIDERATIONS AND AUTHORIZATION TO TRAVEL/OR APPROVAL OF TRAVEL EXPENSE FOR THE FOLLOWING (PLEASE NOTE: TRAVEL REQUESTS ARE SUBJECT TO ALL APPLICABLE COUNTY POLICIES):
 - (A) CONSTABLE PRECINCT NO. 2, TO TRAVEL TO SAN ANTONIO, TX, ON 3/20-24/06, TO ATTEND TRAINING-PHASE I & II PRACTICAL KINESIC INTERVIEW & INTERROGATION TECHNIQUES.
 - (B) ASSISTANT DISTRICT ATTORNEY, TO TRAVEL TO DALLAS, TX, ON 3/6-8/06, TO ATTEND NTCC'S (NORTH TEXAS CRIME COMMISSION) CONFERENCE ON CRIMES AGAINST WOMEN.
 - (C) UNIFIED NARCOTICS INTELLIGENCE TASK FORCE EMPLOYEE, TO TRAVEL TO LAREDO, TX, ON 3/28-30/06, TO ATTEND QUARTERLY INTELLIGENCE MEETING.
 - (D) COUNTY EXTENSION AGENT, TO TRAVEL TO HOUSTON, TX, ON 3/4-5/06, TO ATTEND AND PARTICIPATE IN THE HOUSTON LIVESTOCK SHOW AND RODEO.
 - (E) COUNTY EXTENSION AGENT, TO TRAVEL TO COLLEGE STATION, TX, ON 3/23-24/06, TO ATTEND THE TEXAS HAZARDOUS ALGAL BLOOM WORKSHOP MEETING.
 - (F) BREASTFEEDING PEER COUNSELOR, TO TRAVEL TO AUSTIN, TX, ON 3/21-24/06, TO ATTEND A CLINICAL LACTATION PRACTICUM.
 - (G) WEED AND SEED COORDINATOR, TEEN COURT COORDINATOR AND JUVENILE PROBATION BUDGET MANAGER, TO TRAVEL TO BIRMINGHAM, AL, ON 3/27-29/06, TO ATTEND THE 2006 WEED AND SEED BUDGET APPLICATION TRAINING/WORKSHOP.
 - (H) JUSTICE OF THE PEACE PRECINCT 7, PLACE 2 EMPLOYEE, TO TRAVEL TO AUSTIN, TX, ON 4/5-7/06, TO ATTEND ADVANCE CLERK TRAINING SEMINAR.
 - (I) BUILDING OFFICIAL, TO TRAVEL TO AUSTIN, TX, ON 3/13-17/06, TO ATTEND RESIDENTIAL INSPECTION INSTITUTE SEMINAR.
 - (J) UNIFIED NARCOTICS INTELLIGENCE TASK FORCE EMPLOYEE, TO TRAVEL TO AUSTIN, TX, ON 3/12-18/06, TO ATTEND ANACAPA INTELLIGENCE ANALYTICAL TRAINING.
 - (K) ASSISTANT VETERANS SERVICE OFFICER, TO TRAVEL TO AUSTIN, TX, ON 3/20-24/06, TO ATTEND THE 2005 SPRING TRAINING CONFERENCE SCHEDULE.
 - (L) ANIMAL CONTROL OFFICER, TO TRAVEL TO LAREDO, TX, ON 3/22-24/06, TO ATTEND THE TEXAS DEPARTMENT OF HEALTH REGION 11'S ANIMAL CONTROL OFFICER (ACO) BASIC TRAINING COURSE.
 - (M) HEALTH ADMINISTRATOR, TO TRAVEL TO IRVING, TX, ON 4/17-19/06, TO ATTEND THE FIRST RESPONSE STRATEGIES AND PROTOCOLS FOR WATER UTILITY AND PUBLIC HEALTH STAFF CONFERENCE.
 - (N) CHIEF OF INVESTIGATIONS AND INVESTIGATOR, TO TRAVEL TO SAN ANTONIO, TX, ON 4/17-21/06, TO ATTEND THE "2006 ATPA ANNUAL CONFERENCE."

- (O) SHERIFF AND CAPTAIN, TO TRAVEL TO EL PASO, TX, ON 3/23-25/06, TO ATTEND SOUTH WEST BORDER SHERIFF'S COALITION MEETING.
- (P) SERGEANT AND LIEUTENANT, TO TRAVEL TO SAN MARCOS, TX, ON 3/5-6/06, TO ATTEND SWAT COMMANDERS MEETING.
- (Q) SHERIFF AND CHIEFS (2), TO TRAVEL TO COLLIN COUNTY AND TARRANT COUNTY, ON 3/7-10/06, TO VIEW MEDICAL DIVISION (JAIL FACILITY) AND NEW ANNEX BUILDING.
- (R) CIVIL PROCESS OFFICER, TO TRAVEL TO EDINBURG, TX, ON 3/14-16/06, TO ATTEND CIVIL PROCESS SCHOOL.

CONSIDERATION AND APPROVAL OF \$300,000.00 SUPPLEMENTAL GRANT AWARD **(8)** FROM THE TEXAS HISTORICAL COMMISSION FOR THE DANCY BUILDING RESTORATION. (FB-PD & M) The Documentation is as follows:





EXECUTIVE SESSION

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the

Court met in Executive Session at 8:10 A.M. to discuss the following matters:

(16) EXECUTIVE SESSION:

- (A) Confer with commissioners' court legal counsel concerning CAMERON COUNTY vs. Faulkner, USA formerly known as Landmark, approval of settlement agreement, pursuant to V.T.C.A government code, section 551.071(1) (a) (b) & (2).
- (B) Confer with commissioners' court legal counsel concerning issues regarding the CAMERON COUNTY detention centers and the CAMERON COUNTY Sheriff's administration building, pursuant to V.T.C.A government code, section 551.071(2).
- (C) Confer with commissioners' court legal counsel concerning issues relating to possible acquisition of real property for the Dancy building renovation project, pursuant to V.T.C.A government code, section 551.072.
- (D) Deliberation regarding real property concerning acquisition of parcel 120, for Primera road project in the Primera, precinct no. 4 area, pursuant to V.T.C.A government code, section 551.072.
- (E) Deliberation regarding real property concerning acquisition of parcel 161, for Primera road project in the Primera, precinct no. 4 area, pursuant to V.T.C.A government code, section 551.072.
- (F) Deliberation regarding real property concerning acquisition of parcel 140, for Primera road project in the Primera, precinct no. 4 area, pursuant to V.T.C.A government code, section 551.072.
- (G) Confer with commissioners' court legal counsel concerning Jose Luis Loredo vs. COUNTY of CAMERON; Civil action no. B-05-272, for discussion on pending medical claims, pursuant to V.T.C.A government code, section 551.071(1)(a)&(2).
- (H) Confer with commissioners' court legal counsel concerning CAMERON COUNTY vs. BFI waste services of Texas, LP, et al, civil action no. 05-07-3905-a, for discussion on status of case and authority for settlement with ABC waste collection, pursuant to V.T.C.A government code, section 551.071(1)(a).
- (I) Confer with commissioners' court legal counsel concerning sub-lease agreement with Laguna Madre enhancement group regarding property at Isla Blanca Park, pursuant to V.T.C.A government code, section 551.071(2) & 551.087.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the

Court reconvened into Regular Session at 9:00 A.M. to discuss the following matters:

(17) EXECUTIVE SESSION:

Note: Commissioner Tamayo stepped out of the meeting at this time.

(A) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. FAULKNER, USA FORMERLY KNOWN AS LANDMARK, APPROVAL OF SETTLEMENT AGREEMENT, PURSUANT TO V.T.C.A GOVERNMENT CODE, SECTION 551.071(1) (A) (B) & (2). (TABLED)

(B) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES REGARDING THE CAMERON COUNTY DETENTION CENTERS AND THE CAMERON COUNTY SHERIFF'S ADMINISTRATION BUILDING, PURSUANT TO V.T.C.A GOVERNMENT CODE, SECTION 551.071(2). (TABLED)

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, these items were **TABLED**.

Note: Commissioner Tamayo returned to the meeting at this time.

(C) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING ISSUES RELATING TO POSSIBLE ACQUISITION OF REAL PROPERTY FOR THE DANCY BUILDING RENOVATION PROJECT, PURSUANT TO V.T.C.A GOVERNMENT CODE, SECTION 551.072.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the offer of \$75,000 on Lot 6, Block 120 was approved.

(D) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 120, FOR PRIMERA ROAD PROJECT IN THE PRIMERA, PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A GOVERNMENT CODE, SECTION 551.072.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the offer to purchase Parcel 120 for \$439 was approved.

(E) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 161, FOR PRIMERA ROAD PROJECT IN THE PRIMERA, PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A GOVERNMENT CODE, SECTION 551.072.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the offer to purchase Parcel 161 for \$1,925 was approved.

(F) DELIBERATION REGARDING REAL PROPERTY CONCERNING ACQUISITION OF PARCEL 140, FOR PRIMERA ROAD PROJECT IN THE PRIMERA, PRECINCT NO. 4 AREA, PURSUANT TO V.T.C.A GOVERNMENT CODE, SECTION 551.072.

Upon motion by Commissioner Garza, seconded by Commissioner Wood and carried unanimously, the offer to purchase Parcel 140 for \$740 was approved.

(G) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING JOSE LUIS LOREDO VS. COUNTY OF CAMERON; CIVIL ACTION NO. B-05-272, FOR DISCUSSION ON PENDING MEDICAL CLAIMS, PURSUANT TO V.T.C.A GOVERNMENT CODE, SECTION 551.071(1)(A)&(2).

Upon motion by Commissioner Tamayo, seconded by Commissioner Garza and carried unanimously, the Item was **TABLED**.

(H) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. BFI WASTE SERVICES OF TEXAS, LP, ET AL, CIVIL ACTION NO. 05-07-3905-A, FOR DISCUSSION ON STATUS OF CASE AND AUTHORITY FOR SETTLEMENT WITH ABC WASTE COLLECTION, PURSUANT TO V.T.C.A GOVERNMENT CODE, SECTION 551.071(1)(A).

Commissioner Garza moved to acknowledge the Status Report by Legal Counsel

The motion was seconded by Commissioner Benavides and carried as follows:

AYE: Commissioner Garza, Commissioner Benavides and Commissioner Wood

NAY: None

ABSTAIN: Commissioner Tamayo

The Affidavit is as follows:

(I) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING SUB-LEASE AGREEMENT WITH LAGUNA MADRE ENHANCEMENT GROUP REGARDING PROPERTY AT ISLA BLANCA PARK, PURSUANT TO V.T.C.A GOVERNMENT CODE, SECTION 551.071(2) & 551.087.

Upon motion by Commissioner Garza, seconded by Commissioner Benavides and carried unanimously, the Status Report by Legal Counsel was acknowledged.

(H) CONFER WITH COMMISSIONERS' COURT LEGAL COUNSEL CONCERNING CAMERON COUNTY VS. BFI WASTE SERVICES OF TEXAS, LP, ET AL, CIVIL ACTION NO. 05-07-3905-A, FOR DISCUSSION ON STATUS OF CASE AND AUTHORITY FOR SETTLEMENT WITH ABC WASTE COLLECTION, PURSUANT TO V.T.C.A GOVERNMENT CODE, SECTION 551.071(1)(A).

Commissioner Garza moved to acknowledge the Status Report by Legal Counsel

The motion was seconded by Commissioner Benavides and carried as follows:

AYE: Commissioner Garza, Commissioner Benavides and Commissioner Wood

NAY: None

ABSTAIN: Commissioner Tamayo

The Affidavit is as follows:

SUPPLEMENTAL ITEMS

(1) CONSIDERATION AND POSSIBLE AUTHORIZATION TO CREATE TWO POSITIONS WITHIN THE ELECTIONS/VOTER REGISTRATION DEPARTMENT AND POSSIBLE WAIVER OF COUNTY POLICY TO ADVERTISE DUE TO DIRE NEED FOR PERSONNEL TO FULFILL THE DUTIES IN THE ONGOING ELECTIONS IN A TIMELY MANNER. (ROELECTIONS)

Mr. Roger Ortiz, County Elections Administrator, explained that during election time he is faced with the same dilemma. He expressed concern with the staffing issues affecting his office. He asked that the court grant him the two positions that he is in dire need of.

Commissioner Garza asked if his department's budget could cover the two positions being requested.

Xavier Villarreal, Budget Officer, replied that that there is not enough funds in lapsed salaries to cover the \$45,000 needed to cover the rest of the fiscal year.

Mark Yates, County Auditor, added that there is approximately \$80,000 in Fund 18 that can fund one position with benefits for the remainder of the fiscal year.

Upon motion by Commissioner Garza, seconded by Commissioner Tamayo and carried unanimously, the authorization to create two positions within the elections/voter registration department and possible waiver of County Policy to advertise due to dire need for personnel to fulfill the duties in the ongoing elections in a timely manner was approved, subject to the approval of Mark Yates, County Auditor, and Xavier Villarreal, Budget Officer.

The Documentation is as follows:

There being no further business to come before the Cou	rt, upon motion by Commissioner Garza, seconded
by Commissioner Benavides and carried unanimously, the meetin	ng was ADJOURNED at 9:20 A.M.
APPROVED this 17 th day of April 2006 .	
	GILBERTO HINOJOSA COUNTY JUDGE
ATTEST:	
JOE G. RIVERA, COUNTY CLERK AND EX-OFFICIO CLERK OF THE COMMISSIONERS' COURT OF CAMERON COUNTY, TEXAS	